



03-01-04

CASE N-32769A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 365588629 US
Express Mail Label Number

February 27, 2004
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 3763

BLANK ET AL.

APPLICATION NO: 10/701,698

FILED: NOVEMBER 5, 2003

FOR: CONNECTOR DEVICE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT FILING DATE

Sir:

Upon review of the above-referenced application, applicants found a discrepancy between the actual filing date of this case and the date the PTO used as the filing date. Applicants hereby petition to change the filing date to November 5, 2003 which is the correct filing date as evidenced by the fact that the said date: 1) is the hand-written date that appears on the face of the stamped, return postcard which accompanied the transmittal papers regarding the filing of the subject application; 2) appears in the Express Mail Certificate of Mailing at the top of page 1 of the transmittal sheet and on page 2 of the transmittal sheet; and 3) is the date postmarked on the Express Mail mailing label. However, "11/4/03" was inadvertently hand-written on the Express Mail mailing label by the postal clerk at the U.S. Postal Service in East Hanover, N.J. 07936 and it is this hand-written date that the PTO assigned as the filing date of the subject application, as evidenced by the stamped date of the return postcard. In this connection, a copy of each of the above-mentioned items are enclosed.

As further evidence that November 5, 2003 is the correct date, enclosed is a copy of the U.S. Postal Service Track & Confirm record of shipment details which shows that the subject application was accepted at the East Hanover postal facility at 4:21 PM on November 5, 2003.

In view of the forgoing, it is clear that the corrected filing date of the above-identified application is November 5, 2003 and it is respectfully requested that the U.S. Patent and Trademark Office correct their records to reflect this date. Moreover, since the assigning of

November 4, 2003 as the filing date was due to an error on the part of the U.S. Patent and Trademark Office, albeit the inadvertent error on the part of the postal clerk at the U.S. Postal Service facility in East Hanover, N.J. may have contributed thereto, the fee of \$130 under 37 CFR 1.17(l) is not believed to be required by this Petition to Correct the Filing Date. However, if said fee is deemed to be required, please charge said fee to Deposit Account No. 19-0134 in the name of Novartis Corporation.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080
(862) 778-7877


John W. Kung
Attorney for Applicants
Reg. No. 44,199

Date: *February 27, 2004*

Encls: Copies of stamped, return postcard;
Transmittal sheet;
Expresss Mail mailing label;
U.S. Postal Service Track & Confirm record
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Case No. N. 32769A

Application No. _____

Mailing Date: November 5, 2003

Due Date: November 18, 2003

Express Mail No.: EV 335544995 US

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

☐ Amendment/Response/Letter - Fee \$ 1000

☒ Appln. Filing Papers - Fee \$ 170

☐ PCT National Stage

☐ Provisional Application

☐ RCE ☐ DIV ☐ CONT ☐ CIR

☒ Specification 27 Pg's

☒ Executed/Unexecuted Decl. - Fee: \$ _____

☐ Missing Parts/Missing Req.

☒ Preliminary Amendment 5 Pg's

☒ Claim of Priority ☒ Certified Copy(s) 4 Certified Copies enclosed

☐ Amendment After Final

☐ Notice of Appeal - Fee \$ _____

☐ Appeal Brief - Fee \$ _____

☐ Issue Fee Payment \$ _____

☐ Assignment Rec. Req. - Fee \$ _____

☐ Formal Drawings _____ Pg's 22264 U.S. PTO

☐ IDS _____ Pg's - Fee \$ _____ 10/701698

☐ PTO-1449 Form _____ Pg's

☐ Pet. for Ext. of Time - Fee \$ _____ 110403

☒ Application Data Sheet

☐ Seq. Listings _____ Pg's/Seq. Disk

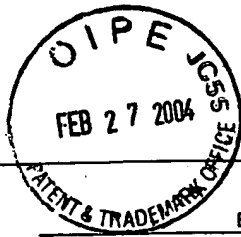
☐ **DOCKETED FOR: Jan. 4, 2004**

Juk

Initials

82972/99A Rev.1

COPY SENT TO BASEL December 18, 2003



Docket Number N-32769A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 335544995 US
Express Mail Label Number

November 5, 2003
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Address to: **MS: Patent Application**
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

UTILITY PATENT APPLICATION TRANSMITTAL AND FEE SHEET

Transmitted herewith for filing under 37 CFR §1.53(b) is the utility patent application of

Applicant (or identifier): **BLANK ET AL.**

Title: **CONNECTOR DEVICE**

Enclosed are:

1. ☒ Specification (Including Claims and Abstract) - 27 pages
2. ☒ Drawings - 9 sheets
3. ☐ Executed Declaration and Power of Attorney (original or copy)
4. ☐ Microfiche Computer Program (appendix)
5. ☐ Nucleotide and/or Amino Acid Sequence Submission
 - ☐ Computer Readable Copy
 - ☐ Paper Copy
 - ☐ Statement Verifying Identity of Above Copies
6. ☒ Preliminary Amendment
7. ☐ Assignment Papers (Cover Sheet & Document(s))
8. ☐ English Translation of
9. ☐ Information Disclosure Statement
10. ☒ Certified Copy of Priority Documents [0226730.0; 0229624.2; 0303317.2; 0311463.4]
11. ☒ Return Receipt Postcard
12. ☒ Other: Unexecuted Declaration, Application Data Sheet

Filing fee calculation:

- ☒ Before calculating the filing fee, please enter the enclosed Preliminary Amendment.
☐ Before calculating the filing fee, please cancel claims

Basic Filing Fee							\$	770
Multiple Dependent Claim Fee (\$ 290)							\$	
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	For	Number Filed		Number Extra		Rate		
Extra Claims	Total Claims	18	-20	0	x	\$ 18	=	\$
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- ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$770. An additional copy of this paper is enclosed. The Commissioner is hereby

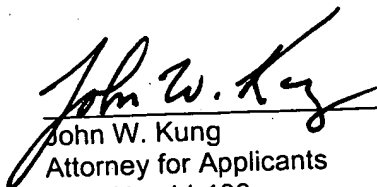
authorized to charge any additional fees under 37 CFR §1.16 and §1.17 which may be required in connection with this application, or credit any overpayment, to Deposit Account No. 19-0134 in the name of Novartis.

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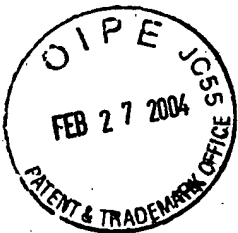
Thomas Hoxie
Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080

Please direct all telephone calls to the undersigned at the number given below, and all telefaxes to (973) 781-8064.

Respectfully submitted,


John W. Kung
Attorney for Applicants
Reg. No. 44,199
Tel. No. (862) 778-7877

Date: November 5, 2003



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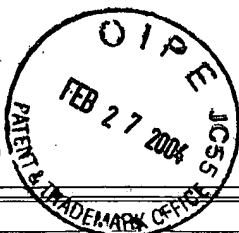
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